Patent
Attorney's Docket No. 008111-172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
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Peter B. MACKENZIE et al.) Group Art Unit: 1713
)
Application No.: 10/648,357) Examiner: R. Harlan
)
Filed: August 27, 2003) Confirmation No.: 3429
)
For: IMPROVED PRODUCTIVITY)
CATALYSTS AND)
MICROSTRUCTURE CONTROL)
)

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action dated

February 18, 2005, Applicants elect the claims of Group I (claims 1-14 and 35-36),

drawn to a catalyst. However, Applicants' election is made with traverse.

MPEP § 803 states that an application may be properly restricted to one or

more claimed inventions only if (1) the inventions are independent or distinct as

claimed, and (2) there is a serious burden on the Examiner if restriction is not

required. Thus, even if appropriate reasons exist for requiring restriction, such a

requirement should not be made unless there is an undue burden on the Examiner

to examine all the claims in a single application. Here, it would appear that the

searches involved for the claims would be coextensive. As such, it is not believed to

be a serious burden on the Examiner to examine all the claims.

Accordingly, for at least all of the reasons set forth above, withdrawal of the requirement for restriction is requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

If the Examiner has any questions concerning this Reply, or the application in general, he is invited to telephone the undersigned at his earliest convenience.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: March 18, 2005   By: _____
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